

Introduced by Senator Alarcon

February 23, 2006

An act to add Chapter 6 (commencing with Section 42380) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1573, as introduced, Alarcon. Solid waste: packaging.

The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board.

This bill would require the board, by January 1, 2008, to adopt regulations to establish guidelines for the manufacture, purchase, and disposal of packaging, as defined. The bill would require the regulations to prohibit manufacturers and purchasers from using excess packaging, require manufacturers to use specific percentages of recyclable material in the production of packaging, and create incentives for manufacturers and purchasers to use recyclable material in the manufacture of packaging.

The bill would require each purchaser and manufacturer of packaging to comply with the regulations adopted by the board on and after January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6 (commencing with Section 42380) is
2 added to Part 3 of Division 30 of the Public Resources Code, to
3 read:

1 CHAPTER 6 EXCESS PACKAGING MATERIALS PREVENTION ACT

2
3 42380. The Legislature hereby finds and declares all of the
4 following:

5 (a) The state requires that cities and counties reduce waste
6 destined for landfills and supports the three main tenants of smart
7 trash disposal, which are to reduce, reuse, and recycle waste.

8 (b) Currently, research indicates that more than one-third of all
9 waste that goes into landfills is packaging waste.

10 (c) Current business practices destroy virgin resources, such as
11 trees, or use excess amounts of other resources, such as crude oil,
12 for packaging that is immediately thrown away by consumers
13 after purchasing the product.

14 (d) Both businesses and the state can save money by taking all
15 of the following actions:

16 (1) Recycling materials rather than pay for waste disposal.

17 (2) Decreasing the use of virgin material used to produce
18 packaging.

19 (3) Decreasing the amount of packaging purchased for
20 purposes of packaging items for sale.

21 (e) It is in the state's economic and environmental interest to
22 either deter excess packaging or create incentives for reducing
23 the amount of packaging used by business.

24 42831. For purposes of this chapter the following definitions
25 shall apply:

26 (a) "Package" means any container providing a means of
27 marketing, protecting, or handling a product.

28 (b) "Purchaser" means a person who purchases and takes title
29 to a package from a manufacturer for the purpose of packaging a
30 product manufactured, distributed, or sold by the purchaser.

31 (c) "Manufacturer" means any person, firm, association,
32 partnership, or corporation producing a package.

33 (d) "Recyclable material" has the same meaning as
34 "postconsumer material", as defined in Section 42301.

35 42832. On or before January 1, 2008, the board shall adopt
36 regulations to establish guidelines for the manufacture, purchase,
37 and disposal of packaging. These regulations shall include for,
38 but are not limited to, provisions to do all of the following:

39 (a) Prohibit manufacturers and purchasers from using excess
40 packaging.

1 (b) Require manufacturers to use specific percentages of
2 recyclable material in the production of packaging.

3 (c) Create incentives for manufacturers and purchasers to use
4 recyclable material in the manufacture of packaging.

5 42833. On and after January 1, 2009, each purchaser and
6 manufacturer shall comply with the regulations adopted by the
7 board pursuant to this section.

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